

**PATENT APPLICATION
DOCKET NO. 10008090-1**

**IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE**

INVENTOR(S): Shell S. Simpson.

SERIAL NO.: 10/007,254

GROUP ART UNIT: 2151

FILED: 10/29/2001

EXAMINER: Patel, Dhairya A

SUBJECT: Web-Based Imaging Service Providing the Ability to Specify a Charge-Back Account

U.S. PATENT AND TRADEMARK OFFICE
COMMISSIONER OF PATENTS
ALEXANDRIA, VA 22313

APPELLANTS'/APPLICANTS' OPENING BRIEF ON APPEAL

1. REAL PARTY IN INTEREST.

The real party in interest is Hewlett-Packard Development Company, LP, a limited partnership established under the laws of the State of Texas and having a principal place of business at 20555 S.H. 249 Houston, TX 77070, U.S.A. (hereinafter "HPDC"). HPDC is a Texas limited partnership and is a wholly-owned affiliate of Hewlett-Packard Company, a Delaware Corporation, headquartered in Palo Alto, CA. The general or managing partner of HPDC is HPQ Holding, LLC.

2. RELATED APPEALS AND INTERFERENCES.

There are no other appeals or interferences known to Appellants, Appellants' legal representative or the Assignee which will affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

3. STATUS OF CLAIMS.

Claims 1-30 are pending. All pending claims are appealed.

4. STATUS OF AMENDMENTS.

No amendments have been filed after the final action was entered. All previous amendments have been entered.

5. SUMMARY OF CLAIMED SUBJECT MATTER.

Claim 1 recites a method of providing the ability to specify a charge-back account that includes accessing a destination service representing a production device. See, e.g., Specification, page 17, lines 12-25; page 16, lines 8-24; and Figs. 2 and 3A. Content from the destination service is downloaded into a client browser. See, e.g., Specification, page 17, lines 12-25. A user's image data is retrieved. See, e.g., Specification, page 17, lines 12-25. Production options are selected for a print job to print the user's image data using the production device. See, e.g., Specification, page 17, lines 12-25. The user is provided with the ability to specify a charge-back account ID for processing the print job using the production device. See, e.g., Specification, page 17, lines 12-25.

Claim 19 recites a destination service having various capabilities. Those capabilities include representing a production device and downloading content into a user's client browser. See, e.g., Specification, page 17, lines 12-25; page 16, lines 8-24; and Figs. 2 and 3A. The service is operable to retrieve image data associated with the user's client browser, and, under interactive control of the user's client browser via the content, to specify production options for a print job to print the image data using said production device. See, e.g., Specification, page 17, lines 12-25. The system can specify a charge-back account ID for the print job and direct the production device to process the print job in accordance with the selected production options. See, e.g., Specification, page 17, lines 12-25. The system can calculate the cost of the processing to be charged back and can charge back the processing to the specified charge-back account ID. See, e.g., Specification, page 17, lines 12-25.

Claim 28 recites a system providing the ability to specify a charge-back account. The system includes a user's client browser and a destination service. See, e.g., Fig. 1A. The client browser is operable to manage a user's production data. The destination service represents a production device and is accessible from the user's client browser. See, e.g., Specification, page 17, lines 12-25; page 16, lines 8-24; and Figs. 2 and 3A. The destination service is operable to retrieve said user's image data and to download content into said user's browser. See, e.g., Specification, page 17, lines 12-25. The destination service is also operable to, under interactive control of the user's client browser, specify production options for a print job to print said user's image data and a charge-back account ID for processing said print job using said production device. See, e.g., Specification, page 17, lines 12-25.

6. GROUNDS FOR REJECTION TO BE REVIEWED.

A. Claims 1-16, 18-26, and 28-30 stand rejected as being unpatentable over USPN 7,013,289 issued to Horn in view of US Pub 2002/0016921 to Olsen.

7. ARGUMENT.

A. Ground For Rejection A – Claims 1-16, 18-26, and 28-30 stand rejected as being unpatentable over USPN 7,013,289 issued to Horn in view of US Pub 2002/0016921 to Olsen.

Claim 1 is directed to a method of providing the ability to specify a charge-back account and, as amended, recites the following:

1. accessing a destination service representing a production device;
2. downloading content from said destination service into said client browser;
3. retrieving said user's image data;
4. selecting production options for a print job to print said user's image data using said production device; and
5. providing said user the ability to specify a charge-back account ID for processing said print job using said production device.

The Examiner asserts that Horn, column 31, lines 21-41 teaches the first two acts listed above. That passage is reproduced below:

The Global Store 1500 acquires a global network of Referral Websites 1600 having HTML Web pages 1610 that display Global Store "Department" names in the language of a Buyer. The preferred language is deduced from the Buyer's visit to a Referral Website serving a particular language/locale. Buyers are invited to click on a Department (e.g., "Women's Fashions") to view selected products that are for sale. Referral Websites are paid commissions on sales. A Referral Website identifier (ReferID) is a numerical identifier used during a settlement process to allocate commission credits for product sales. A ReferID value is forwarded to the Global Store as part of a visit to the Store by a Buyer who requests Web pages served by the Global Store.

A Buyer, who has TCP/IP access to the Internet 1300 by the Buyer's Computer 1200, views Web page displays rendered by the Buyer's Web Browser 1210. A Web page 1610 that comes to the Buyer's Browser over the Internet from a Referral Website 1600 contains an embedded HTML Form which allows the Buyer to send an HTTP request to the Global Store 1500 to request Client/server function-specific and locale-specific responses.

Options for a Buyer to submit requests to the Global Store System 1500 are designed to transmit to the Global Store parameterized information that enables great power and flexibility of the Global Store to respond to Buyers. System parametric values, called Tokens, are passed along with a Buyer's requests. Locale-identifier Tokens (LCID values) trigger the Global Store System 1500 to accommodate to the Buyer's language and locale. Other Tokens, as described below, allow the Global Store to offer the Buyer choices for viewing information about many thousands of products for sale, those choices conveniently and clearly arranged in drop-down menus in the Buyer's language.

Horn, col. 31, lines 21-56. With respect to this cited passage, the Examiner states: "The reference teaches accessing Global store (destination service) representing a global store system (production device) and downloading the webpage that display global store department names into client browser." In short, the Examiner equates the destination service of Claim 1 with Horn's "Global Store" and the production device of Claim 1 with Horn's "Global Store System." The Examiner asserts that the "Global Store" represents the "Global Store System."

Horn's "Global Store" and "Global Store System" are the same thing as both are identified by reference number 1500 shown in Horn's Figure 1. Note that in the cited passage, the term Global Store 1500" is used. Throughout the remainder of Horn's

specification, the term “Global Store System 1500” is used. See, e.g., Horn, col. 31, lines 42-52. It makes little, if any sense, for the Examiner to assert that Horn’s Global store system 1500 represents itself within the context of Claim 1.

As such, Horn does not teach or suggest accessing a destination service representing a production device. Olsen is silent on this matter.

With respect to the third and fourth acts of Claim 1, the Examiner asserts that Horn, column 31, lines 21-56 (reproduced above) teaches “retrieving said user’s image data; selecting production options for said user’s image data using said production device.” In particular, the Examiner asserts that the “reference teaches retrieving buyer’s request for product (retrieving user’s production data), and buyer selecting a product for purchase from a drop down menu (selecting production options for processing) according to product using the global store system (production device).”

In short, the Examiner equates Horn’s discussion of a buyer’s request for a product with “production data.” However, Claim 1 mentions nothing of “production data.” Instead, Claim 1 recites retrieving a user’s “image data.” Plainly, a buyer’s request for a product is not image data as recited in Claim 1. As such, Horn does not teach or suggest retrieving said user’s image data or selecting production options for such image data. Olsen does not address or otherwise remedy Horn’s deficiency.

For at least these reasons, Claim 1 is patentable over Horn and Olsen as are claims 2-18 which depend from Claim 1.

Claim 19 is directed to a destination service that is operable to:

1. represent a production device;
2. download content into a user’s client browser;
3. retrieve image data associated with said user’s client browser;
4. under interactive control of said user’s client browser via said content, specify production options for a print job to print the image data using said production device;
5. specify a charge-back account ID for said print job;
6. direct said production device to process said print job in accordance with said selected production options;
7. calculate the cost of said processing to be charged back; and

8. charge back said processing to said specified charge-back account ID.

As with Claim 1, Horn mentions nothing of representing a production device or retrieving image data associated with a user's browser. Olsen does not address or otherwise remedy Horn's deficiencies. For at least the same reason Claim 1 is patentable over Horn and Olsen so is Claim 19 and Claims 20-27 which depend from Claim 19.

Claim 28 is directed to a system providing the ability to specify a charge-back account and, as amended, recites the following:

1. a user's client browser operable to manage said user's production data;
2. a destination service representing a production device, said destination service accessible from said user's client browser and operable to retrieve said user's image data, to download content into said user's browser and, under interactive control of said user's client browser, to specify production options for a print job to print said user's image data and a charge-back account ID for processing said print job using said production device.

As with Claim 1, Horn mentions nothing of destination service that represent a production device and that can retrieve a user's image data. Olsen does not address or otherwise remedy Horn's deficiencies. For at least the same reason Claim 1 is patentable over Horn and Olsen so is Claim 28 and Claims 29 and 30 which depend from Claim 28.

The Examiner Rejected Claims 17 and 27 as being unpatentable over USPN 7,013,289 issued to Horn in view of US Pub 2002/0016921 to Olsen and in further view of US Pub 2001/0042052 to Leon. Claim 17 depends from Claim 1. Claims 27 depends from Claim 19. Leon fails to address the deficiencies of Horn and Olsen. For at least the same reasons Claims 1 and 19 are patentable, so are Claims 17 and 27.

Conclusion

In view of the foregoing remarks, the applicant respectfully submits that Claims 1-30 define allowable subject matter.

Respectfully submitted,
Shell S. Simpson

By /Jack H. McKinney/
Jack H. McKinney
Reg. No. 45,685

April 2, 2007

APPENDIX OF CLAIMS INVOLVED IN THE APPEAL

1. (previously presented) In a web based imaging environment, from a user's client browser, a method of providing the ability to specify a charge-back account, said method comprising the steps of:

- accessing a destination service representing a production device;
- downloading content from said destination service into said client browser;
- retrieving said user's image data;
- selecting production options for a print job to print said user's image data using said production device; and
- providing said user the ability to specify a charge-back account ID for processing said print job using said production device.

2. (original) The method of claim 1 further comprising displaying a menu including a list of production options for processing according to said user's production data using said production device, said displayed list including a list of charge-back account IDS.

3. (original) The method of claim 2 wherein said displayed list of charge-back account IDS includes only account IDS that are individually customized to said user.

4. (original) The method of claim 1 further comprising calculating a cost breakdown for said processing according to said user's production data using said production device.

5. (original) The method of claim 4 wherein said cost breakdown is calculated prospectively during said steps of selecting and providing.

6. (original) The method of claim 5 wherein said cost breakdown is displayed dynamically during said steps of selecting and providing.

7. (original) The method of claim 5 further comprising analyzing and reporting resources required to execute said processing according to said user's production data using said production device.

8. (original) The method of claim 1 further comprising specifying a charge-back account ID.

9. (original) The method of claim 8 wherein a list of default production options associated with said specified charge-back account ID is displayed.

10. (original) The method of claim 8 further comprising:
transmitting said user's production data using said production device to said destination service;
processing according to said user's production data using said production device in accordance with said selected production options;
calculating the cost of said processing according to said user's production data to be charged back; and
charging back said processing according to said user's production data to said specified charge-back account ID.

11. (original) The method of claim 10 wherein said charging back occurs after said processing is completed.

12. (original) The method of claim 1 wherein said processing does not proceed if a chargeback account ID is not specified.

13. (original) The method of claim 1 wherein only specific production operations of said processing do not proceed if a charge-back account ID is not specified.

14. (original) The method of claim 1 wherein said user's production data comprises imaging data.

15. (original) The method of claim 14 wherein said imaging data is retrieved from said user's identity.

16. (original) The method of claim 14 wherein said imaging data is retrieved from a hard disk local to said user's client browser.

17. (original) The method of claim 1 wherein said production device comprises a printer.

18. (original) The method of claim 1 wherein said destination service is remote from said client browser.

19. (previously presented) In a web based imaging environment, a destination service operable to:

- represent a production device;
- download content into a user's client browser;
- retrieve image data associated with said user's client browser;
- under interactive control of said user's client browser via said content, specify production options for a print job to print the image data using said production device;
- specify a charge-back account ID for said print job;
- direct said production device to process said print job in accordance with said selected production options;
- calculate the cost of said processing to be charged back; and
- charge back said processing to said specified charge-back account ID.

20. (original) The destination service of claim 19 further operable to display at said client browser via said downloaded content a menu including a selection of production options and charge-back account IDS associated with said production device.

21. (original) The destination service of claim 20 wherein said displayed list includes only account IDS that are individually customized to said user.

22. (original) The destination service of claim 19 further operable to calculate a cost breakdown estimate prior to directing said production device to process in accordance with said selected production options.

23. (original) The destination service of claim 22 further operable to display said cost breakdown dynamically.

24. (original) The destination service of claim 19 operable to retrieve said production data from said user's identity.

25. (original) The destination service of claim 19 operable to retrieve said production data from a hard disk local to said user's client browser.

26. (original) The destination service of claim 19 wherein said production data comprises imaging data.

27. (original) The destination service of claim 19 wherein said production device comprises a printer.

28. (previously presented) In a web based imaging environment, a system providing the ability to specify a charge-back account, said system comprising:
a user's client browser operable to manage said user's production data;
a destination service representing a production device, said destination service accessible from said user's client browser and operable to retrieve said user's image data, to download content into said user's browser and, under interactive control of said user's client browser, to specify production options for a print job to print said user's image data and a charge-back account ID for processing said print job using said production device.

29. (original) The system of claim 28 wherein said destination service is further operable to display at said user's client browser via said downloaded content a list of said production options and charge-back accounts.

30. (original) The system of claim 28 wherein said destination service is further operable to calculate and display dynamically a cost breakdown estimate to process using said production device according to said user's production data and according to said specified production options.

Evidence Appendix

There is no extrinsic evidence to be considered in this Appeal. Therefore, no evidence is presented in this Appendix.

Related Proceedings Appendix

There are no related proceedings to be considered in this Appeal. Therefore, no such proceedings are identified in this Appendix.